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10/060,205	02/01/2002	Kyeong Bac Park	0630-1423P	7510

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EXAMINER

NGUYEN, TRAN N

ART UNIT PAPER NUMBER

2834

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application N .

10/060,205

Applicant(s)

PARK, KYEONG BAE

Examin r

Tran N. Nguyen

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2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 1-3 and 9-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4,5,7 and 8 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED OFFICE ACTION

### Election Requirement

*The applicant's election, with traverse, of claims 4-8, filed on 09/11/03, is acknowledged.* The traverse reasons provided by the applicant is not persuasive because of the following:

As the applicant stated *"examination of all of the species together in one application would not place an undue burden on the Examiner. It is respectfully submitted that the Examiner's Election of Species Requirement is improper in view of the fact that a reasonable number of species are set forth in the present application"*

By this statement, the applicant literally admits that there are different embodiments, i.e., species together in this one application. Evidently, there are total of 2 (two) foreign applications have been submitted for foreign priority claimed for this single present U.S patent applications. The two foreign applications contain number of species that are consolidated in this present applications. Thus, with various species of embodiments, not only specific search areas but also specific patentability considerations/assessments are required for each species thereof. To conclude, because the present application contains at least 2 of various species of embodiments, this require additional burden on the Examiner in examining all the claims because there are specific searches and considerations that are required for particular claims that are not required for the others. Thus the species restriction is proper, and the **election/restriction is hereby made FINAL.**

Upon the allowance of a generic claim 4, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. 1.141. *If claims are added after the election, applicants must indicate which are readable upon the elected species. M.P.E.P. 809.02.*

***Claim Rejections - 35 USC § 112***

1. **Claims 4-8** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

**In claim 4**, “*the respective lamination sheets are fixedly coupled by coupling means which are formed on the respective lamination sheets constructing the laminated body so as to be connected in a row with adjacent sheet and to be moved*” is indefinite because it is unclear what to be moved? Is it the coupling means or the lamination sheets or the laminated body or the row with adjacent sheet *to be moved*?

In light of the spec, it is understood that “*the respective lamination sheets are fixedly coupled by coupling means, said coupling means are formed on the respective lamination sheets that constructing the laminated body, wherein said coupling means connecting adjacent lamination sheets in a row and said lamination sheets with coupling means are movable*”

**In claim 7**, “*length direction of the caulking portion is formed to be same as a length direction of a path portion formed on the respective lamination sheet*” is indefinite because it is unclear of the following:

what is the “*length direction of the caulking portion*”? As shown in the figures, the coupling/caulking portions are protruded and caulked in the circumferential direction; thus, should *the length direction* actually be the circumferential direction?

what is the “*length direction of a path portion formed on the respective lamination sheet*”? The figures show the laminated sheets of a general C-shaped cross section, i.e., there are two horizontal path portions and a vertical path portion. The phrase “*a length direction of a path portion*” does not clearly recite what is the *length direction*, should it be circumferential direction instead? Also, what is “*a path portion of the lamination sheet*” is it one of the two horizontal paths or the vertical path, should it be a horizontal path?

The “*the length direction*” in “*length direction of the caulking portion is formed to be same as a length direction of a path portion formed on the respective lamination sheet*” are

broadly understood as one of a vertical direction, a horizontal direction, a circumferential direction, an axial direction.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claim 4** is rejected under 35 U.S.C. 102(b) as being fully anticipated by **Bertocchi et al (US 5923112)**.

**Bertocchi** discloses (figs 1-4) a core lamination structure (1) of a motor comprising a laminated body (1) is formed by laminating a plurality of lamination sheets (2) of thin plate having predetermined shape, and the respective lamination sheets are fixedly coupled by coupling means (3, 6) are formed on the respective lamination sheets for constructing the laminated body so as the lamination sheets to be connected in a row with respective adjacent sheet and the coupling means (3, 6) are engaged within a clearance (as shown in fig 4, col. 3 lines 24-30), inherently coupling means and consequently the lamination sheet can be movable within the determined clearance.

3. **Claims 4-5 and 8** are rejected under 35 U.S.C. 102(b) as being fully anticipated by **Kloster et al (US 5142178)**.

**Kloster** discloses (figs 1-2) a core lamination structure of a motor comprising a laminated body is formed by laminating a plurality of lamination sheets (2) of thin plate having predetermined shape, and the respective lamination sheets are fixedly coupled by coupling means (8-9) are formed on the respective lamination sheets for constructing the laminated body so as the lamination sheets to be connected in a row with respective adjacent sheet and the coupling means having a caulking segment (8) and a complimentary opening (9) of a slightly larger dimension size. The caulking segments (8) being configured to enable a slight movement of adjacent

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laminations, with the coupling means, when the caulking segments (8) and compatible openings (9) of the laminations are in caulking relation in a stacked lamination assembly. The lamination sheets with the respective coupling means having a caulking segments (8) and a complimentary opening (9). These caulking segments (8) are protruded to be engaged with each other, via openings (9), on the respective lamination sheets constructing the laminated body so as to move relatively with the adjacent lamination sheets, and to fixedly couple the laminated body by the engaging of the coupling portion on the respective lamination sheets, the coupling means formed on the respective lamination sheets are fixedly coupled by caulking successively and sequentially.

***Allowable Subject Matter***

**Claim 6** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

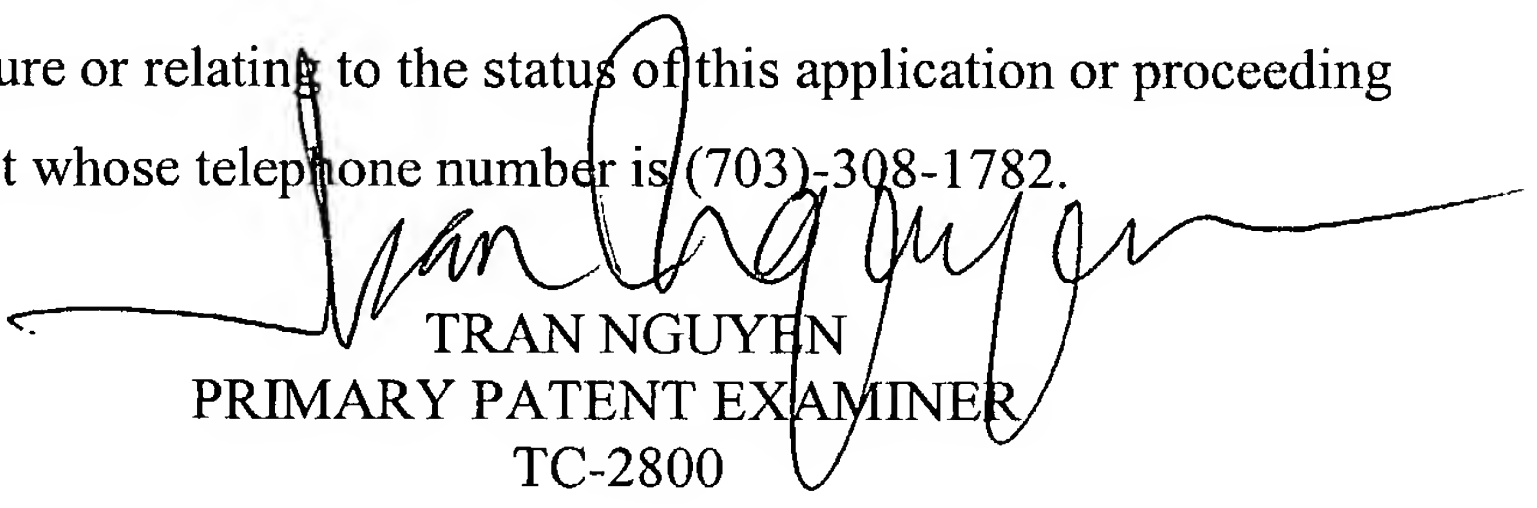
**Claim 7** is would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Communication***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran N Nguyen whose telephone number is (703) 308-1639. The examiner can normally be reached on M-F 6:00AM-2:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703)-308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703)305-3431 for regular communications and (703)-395-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-1782.

  
TRAN NGUYEN  
PRIMARY PATENT EXAMINER  
TC-2800